Addendum to Standard Sentencing Guidelines, 5th Edition

The recommended sentence for a violation of Vehicle Code section 4462.5 (False Tabs), included in the 5th Edition of the *San Diego Superior Court's Standard Sentencing Guidelines for Infractions and Misdemeanors*, has been amended to delete the provision to reduce the offense to an infraction after 18 months of successful probation and payment of the fine.

There is no authority in the Penal Code or the Vehicle Code to allow this reduction. To do so is contrary to *People v. Dibacco*, Penal Code §§ 17(d) and 19.8, and Vehicle Code §§ 4462.5 and 40000.7(a)(8).

Effective January 30, 2013, the recommended sentence reads as follows:

VC 4462.5 ISS 3; VNL

False tabs \$691 plus \$140 PRRF suspended

Destroy false tabs

*After 18M successful probation and payment of fine, upon motion of defendant, reduce to infraction.